

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6805**

**BILL NUMBER:** SB 340

**NOTE PREPARED:** Dec 23, 2003

**BILL AMENDED:**

**SUBJECT:** Delivery of Absentee Ballots.

**FIRST AUTHOR:** Sen. Hume

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** ☒ GENERAL  
☒ DEDICATED  
☐ FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** The bill removes restrictions concerning who may deliver to the county election board an absentee ballot for a voter who votes by absentee ballot.

**Effective Date:** July 1, 2004.

**Explanation of State Expenditures:** Under the bill, fewer individuals would be subject to prosecution and conviction for a Class D felony for improperly handling another voter's ballot as provided in current law. A Class D felony is punishable by a prison term ranging from six months to three years or reduction to Class A misdemeanor depending upon mitigating and aggravating circumstances.

Assuming offenders can be housed in existing facilities with no additional staff, the average cost for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily, per prisoner. However, any additional expenditures are likely to be small. The average length of stay in Department of Correction (DOC) facilities for all Class D felony offenders is approximately ten months.

**Explanation of State Revenues:** Under the bill, a person voting by absentee ballot would be allowed to have the envelop that contained the ballot delivered to the county election board by any person the voter chooses without penalty. Under current law, only a precinct inspector, member of a precinct election board on the inspector's behalf, a member of a county election board, a member of an absentee voter board, a member of the voter's household, or the voter's attorney in fact may handle a voter's ballot. A violation of this provision of law (IC 3-14-2-16(4)) is a Class D felony. Under the bill, the population base of individuals would be reduced that could be prosecuted for wrongfully handling a ballot. If fewer court cases occur and fewer fines are collected, revenue to both the Common School Fund (from criminal fines) and the state General Fund

(from court fees) would decrease. The maximum fine for a Class D felony is \$10,000. However, any reduction in revenue would likely be small.

**Explanation of Local Expenditures:** If fewer defendants are detained in county jails prior to their court hearings, local expenditures for jail operations may decrease. However, any reduction in expenditures would likely be small.

**Explanation of Local Revenues:** If fewer court actions occur or guilty verdicts entered, local governments would receive less revenue from court fees. However, the reduction in revenue would likely be small.

**State Agencies Affected:** Department of Correction.

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:**

**Fiscal Analyst:** Chris Baker, 317-232-9851.